

FEB 23 2004

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## FAX TRANSMITTAL COVER SHEET

Date: February 23, 2004

No. of pages: 4 (including this page)

To: Examiner Amy R. Cohen

Company: USPTO

Your Ref.: 09/940,363

Fax No.: (703) 872-9306

Phone No.: (703) 305-4972

From: Scott A. Lund

Re: Request for Continued  
Examination (RCE) 1.114Our Ref.: 10011180-1  
H301.208.101

Phone No.: (612) 573-2006

The following documents are being facsimile transmitted to the U.S.  
Patent and Trademark Office:

Request for Continued Examination (RCE) 37 CFR 1.114 (2 pgs.).  
 Petition for One Month Extension of Time (1 pg.);

Please notify us at 612-573-2000 if all pages are not received.

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION  
ATTORNEY DOCKET NO. 10011180-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thomas A. Saksa

Confirmation No.: 5070

Application No.: 09/940,363

Examiner: Amy R. Cohen

Filing Date: Aug. 27, 2001

Group Art Unit: 2859

Title: MEASUREMENT AND MARKING DEVICE

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

*NOTE 37 CFR 1.114 is effective on May 20, 2000. If the above- application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.*

Submission under 37 CFR 1.114

(X) Previously submitted:

(X) Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on Dec. 9, 2003  
(Any unentered amendment(s) referred to above will be entered).

( ) Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

( ) Other \_\_\_\_\_

( ) Enclosed:

( ) Amendment/Reply  
( ) Affidavit(s)/Declarations(s)  
( ) Information Disclosure Statement (IDS)  
( ) Other \_\_\_\_\_

Miscellaneous

( ) Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00  
( ) Other \_\_\_\_\_

**CONTINUED EXAMINATION TRANSMITTAL  
(RCE) (37 CFR 1.114) (continued)**

ATTORNEY DOCKET NO. 10011180-1

RCE filing fee \$770.00

A Petition for Extension of Time

<input checked="" type="checkbox"/> one month	\$110.00
<input type="checkbox"/> two months	\$420.00
<input type="checkbox"/> three months	\$950.00
<input type="checkbox"/> four months	\$1480.00

Please charge to Deposit Account 08-2025 the sum of \$880.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.26. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

A duplicate copy of this transmittal letter is enclosed.

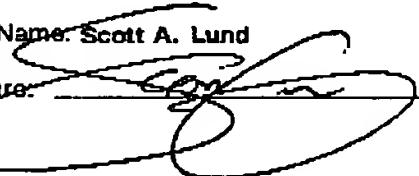
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: \_\_\_\_\_

OR

I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on Feb. 23, 2004

Number of pages: 4

Typed Name: Scott A. Lund

Signature: 

Respectfully submitted,

Thomas A. Saks

By 

Scott A. Lund

Attorney/Agent for Applicant(s)  
Reg. No. 41,166

Date: Feb. 23, 2004

Telephone No.: (612) 573-2006